

the claim to the wrong Federal agency or submission of the claim after the deadline; or

“(B) an administrative error made by the Department, such as misplacement of a paper claim or deletion of an electronic claim.”.

(c) CONFORMING AMENDMENTS.—Such title is amended—

(1) in section 1705A(d), by striking “section 1725(f)” and inserting “section 1725(h)”;

(2) in section 1725(b)(3)(B), by striking “subsection (f)(2)(B) or (f)(2)(C)” and inserting “subsection (h)(2)(B) or (h)(2)(C)”;

(3) in section 1728(d), as redesignated by subsection (b)(4), by striking “section 1725(f)(1)” and inserting “section 1725(h)(1)”;

(4) in section 1781(a)(4), by striking “section 1725(f)” and inserting “section 1725(h)”;

and

(5) in section 1787(b)(3), by striking “section 1725(f)” and inserting “section 1725(h)”.

SEC. 3. PUBLICATION OF CLARIFYING INFORMATION FOR NON-DEPARTMENT OF VETERANS AFFAIRS PROVIDERS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall publish on one or more publicly available internet websites of the Department of Veterans Affairs, including the main internet website regarding emergency care authorization for non-Department providers, the following information:

(1) A summary table or similar resource that provides a list of all authorities of the Department to authorize emergency care from non-Department providers and, for each such authority, the corresponding deadline for submission of claims.

(2) An illustrated summary of steps, such as a process map, with a checklist for the submission of clean claims that non-Department providers can follow to assure compliance with the claims-filing process of the Department.

(3) Contact information for the appropriate office or service line of the Department to address process questions from non-Department providers.

(b) PERIODIC REVIEW.—Not less frequently than once every 180 days, the Secretary shall review the information published under subsection (a) to ensure that such information is current.

(c) CLEAN CLAIMS DEFINED.—In this section, the term “clean claims” means clean electronic claims and clean paper claims (as those terms are defined in section 1703D(i) of title 38, United States Code).

The bill (S. 1875), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

EXPRESSING THE SENSE OF THE SENATE THAT THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA SHOULD IMMEDIATELY GUARANTEE THE SAFETY AND FREEDOM OF TENNIS STAR PENG SHUAI

Mr. MURPHY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 323, S. Res. 503.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 503) expressing the sense of the Senate that the Government of the People's Republic of China should immediately guarantee the safety and freedom of tennis star Peng Shuai.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to strike the preamble and insert the part printed in italic, as follows:

Whereas, on November 2, 2021, 3-time Olympic Peng Shuai went missing after she said in a since-deleted post on Chinese social media site Weibo that she had been sexually assaulted and forced into a sexual relationship with Zhang Gaoli, who was the senior Vice Premier of the State Council of the People's Republic of China from 2013 to 2018;

Whereas authorities of the People's Republic of China imposed a media and internet blackout of discussions of Peng's case;

Whereas, on November 14, 2021, after Peng had not been seen or heard from for 12 days, Chairman and Chief Executive Officer of the Women's Tennis Association Steve Simon requested a “full, fair, and transparent” investigation into Peng's allegations;

Whereas the hashtag “#WhereIsPengShuai” trended across social media worldwide, with the exception of the People's Republic of China where it was censored;

Whereas, on November 17, 2021, the Women's Tennis Association received a statement purporting to be from Peng, recanting her abuse claim and saying “everything is fine”;

Whereas, in response, Chairman and Chief Executive Officer of the Women's Tennis Association Steve Simon said the statement “released today by Chinese state media concerning Peng Shuai only raises my concerns as to her safety and whereabouts”;

Whereas the International Olympic Committee said in a statement that it was “encouraged by assurances that she is safe”;

Whereas, on November 19 and 20, 2021, photos and videos of Peng appearing in her home, in a restaurant, and at a youth tennis event in Beijing emerged on Twitter accounts affiliated with government-run media;

Whereas, on November 19, 2021, White House Press Secretary Jen Psaki said the White House is “deeply concerned” over Peng's disappearance and seeks “independent and verifiable proof” of her location and condition;

Whereas, on November 19, 2021, Liz Throssell, the spokesperson for the United Nations High Commissioner for Human Rights, told reporters “. . . it would be important to have proof of her whereabouts and wellbeing, and we would urge that there be an investigation with full transparency into her allegations of sexual assault”;

Whereas, on November 21, 2021, the International Olympic Committee said in a statement that its President, Thomas Bach, had a 30-minute video call with Peng, joined by a Chinese sports official and an official of the International Olympic Committee;

Whereas the statement said that, during the call, Peng appeared to be “doing fine” and appeared “relaxed”, and said she “would like to have her privacy respected”;

Whereas the International Olympic Committee did not explain how the video call with Peng had been organized, given the difficulties other concerned parties have had reaching her;

Whereas, on November 30, 2021, in an interview with CNN, International Olympic Committee official Dick Pound defended the handling of the situation by the Government of the People's Republic of China and said the “unanimous conclusion” by International Olympic Committee officials on the call is that Peng Shuai is “fine”;

Whereas the annual report of the Congressional-Executive Commission on China for 2020 finds that gender-based violence in China remains a serious issue, and highly publicized cases of sexual assault continue to surface;

Whereas, on December 1, 2021, the Women's Tennis Association suspended all Women's Tennis Association tournaments in China and Hong Kong;

Whereas Chairman and Chief Executive Officer of the Women's Tennis Association Steve Simon stated, “In good conscience, I don't see how I can ask our athletes to compete there when Peng Shuai is not allowed to communicate freely and has seemingly been pressured to contradict her allegation of sexual assault. Given the current state of affairs, I am also greatly concerned about the risks that all of our players and staff could face if we were to hold events in China in 2022.”; and

Whereas the Government of the People's Republic of China has repeatedly detained “#MeToo” activists in China and censored online and public discussion around sexual assault and harassment: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the case of Peng Shuai is directly related to broader international concerns around the freedom of speech and safety of athletes participating in the 2022 Winter Olympic Games in Beijing;

(2) the failure of the International Olympic Committee to clearly and forcefully challenge the claims of the Government of the People's Republic of China concerning Peng's safety raise questions about the ability and willingness of the International Olympic Committee to stand up for the human rights of athletes participating in the 2022 Olympic and Paralympic games in Beijing;

(3) the Government of the People's Republic of China would help reduce concerns about athlete safety at the 2022 Winter Olympic Games in Beijing by assuring Peng's freedom and safety and investigating her allegations in a fair and transparent manner;

(4) the Government of the People's Republic of China should immediately take steps to—

(A) provide independent and verifiable proof of Peng's whereabouts and that she is safe;

(B) allow Peng to engage directly with the Women's Tennis Association and the United Nations to independently verify her safety and explain her absence from public life since making her allegation;

(C) open an independent and transparent investigation into Peng's allegations against former senior Vice Premier Zhang Gaoli;

(D) publicly commit to hold sexual violence abusers accountable;

(E) cease all censorship of reporting and discussions of Peng's case; and

(F) allow Peng to leave China if she so desires and prevent any retaliation against family members remaining there;

(5) by failing to clearly and forcefully challenge the Chinese Communist Party's narrative, the International Olympic Committee has failed to uphold its own stated commitments with regard to “[r]espect for international conventions on protecting human rights”, as outlined in the Code of Ethics of the International Olympic Committee;

(6) the conduct of the International Olympic Committee runs counter to efforts by the United States Government, human rights organizations, the Women's Tennis Association, and other international bodies and individuals to secure Peng's safety; and

(7) in an effort to regain lost public confidence, the International Olympic Committee should publicly call on the Government of the People's Republic of China to undertake the actions called for in paragraph (4).

That it is the sense of the Senate that—

(1) the case of Peng Shuai is directly related to broader international concerns around the freedom of speech and safety in China;

(2) the failure of the International Olympic Committee to clearly and forcefully challenge the claims of the Government of the People's Republic of China concerning Peng's safety raises

questions about the ability and willingness of the International Olympic Committee to stand up for the human rights of athletes participating in the Olympic and Paralympic games in Beijing, as well as in future games;

(3) the Government of the People's Republic of China should immediately take steps to—

(A) allow Peng to provide independent and verifiable proof of her own whereabouts and safety without retribution;

(B) allow Peng to engage directly with the Women's Tennis Association and the United Nations to independently verify her safety and explain her absences from public life since making her allegation;

(C) open an independent and transparent investigation into Peng's allegations against former senior Vice Premier Zhang Gaoli;

(D) publicly commit to hold sexual violence abusers accountable;

(E) cease all censorship of reporting and discussions of Peng's case; and

(F) allow Peng to leave China if she so desires and prevent any retaliation against family members remaining there;

(4) the International Olympic Committee, by failing to clearly and forcefully challenge the Chinese Communist Party's narrative, has failed to uphold its own stated commitments with regard to "[r]espect for international conventions on protecting human rights", as outlined in the Code of Ethics of the International Olympic Committee, and runs counter to efforts by the United States Government, human rights organizations, the Women's Tennis Association, and other international bodies and individuals to secure Peng's safety;

(5) to regain lost public confidence, the International Olympic Committee should publicly call on the Government of the People's Republic of China to undertake the actions called for in paragraph (3); and

(6) to demonstrate commitment to Olympic athletes and their human rights, the International Olympic Committee should deny the ability of the People's Republic of China to serve as an Olympic Games host nation or to bid to become a future Olympic Games host nation until the Government of the People's Republic of China ceases its horrific abuses of internationally recognized human rights, including the genocide against the Uyghurs and other Muslim minorities, and undertakes the actions called for in paragraph (3).

Mr. MURPHY. I ask unanimous consent that the committee-reported amendment to the resolution be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

Mr. MURPHY. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adopting the resolution.

The resolution (S. Res. 503), as amended, was agreed to.

Mr. MURPHY. Mr. President, I ask unanimous consent that the committee-reported amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment to the preamble, in the nature of a substitute, was agreed to.

The preamble, as amended, was agreed to.

BANKRUPTCY THRESHOLD ADJUSTMENT AND TECHNICAL CORRECTIONS ACT

Mr. MURPHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 3823, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3823) to amend title 11, United States Code, to modify the eligibility requirements for a debtor under chapter 13, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MURPHY. I ask unanimous consent that the Grassley substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 5025), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bankruptcy Threshold Adjustment and Technical Corrections Act".

SEC. 2. BANKRUPTCY AMENDMENTS.

(a) DEFINITION OF SMALL BUSINESS DEBTOR.—Section 101(51D)(B) of title 11, United States Code, is amended—

(1) in clause (i), by inserting "under this title" after "affiliated debtors"; and

(2) in clause (iii), by striking "an issuer" and all that follows and inserting "a corporation described in clause (ii)".

(b) ADJUSTMENTS FOR INFLATION.—Section 104 of title 11, United States Code, is amended—

(1) in subsection (a), by inserting "1182(1)," after "707(b)."; and

(2) in subsection (b), by inserting "1182(1)," after "707(b).";

(c) WHO MAY BE A DEBTOR UNDER CHAPTER 13.—Section 109 of title 11, United States Code, is amended by striking subsection (e) and inserting the following:

"(e) Only an individual with regular income that owes, on the date of the filing of the petition, noncontingent, liquidated debts of less than \$2,750,000 or an individual with regular income and such individual's spouse, except a stockbroker or a commodity broker, that owe, on the date of the filing of the petition, noncontingent, liquidated debts that aggregate less than \$2,750,000 may be a debtor under chapter 13 of this title."

(d) DEFINITION OF DEBTOR.—Section 1182(1) of title 11, United States Code, is amended to read as follows:

"(1) DEBTOR.—The term 'debtor'—

"(A) subject to subparagraph (B), means a person engaged in commercial or business activities (including any affiliate of such person that is also a debtor under this title and excluding a person whose primary activity is the business of owning single asset real estate) that has aggregate noncontingent liquidated secured and unsecured debts as of

the date of the filing of the petition or the date of the order for relief in an amount not more than \$7,500,000 (excluding debts owed to 1 or more affiliates or insiders) not less than 50 percent of which arose from the commercial or business activities of the debtor; and

"(B) does not include—

"(i) any member of a group of affiliated debtors under this title that has aggregate noncontingent liquidated secured and unsecured debts in an amount greater than \$7,500,000 (excluding debt owed to 1 or more affiliates or insiders);

"(ii) any debtor that is a corporation subject to the reporting requirements under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); or

"(iii) any debtor that is an affiliate of a corporation described in clause (ii)."

(e) TRUSTEE.—Section 1183(b)(5) of title 11, United States Code, is amended—

(1) by striking "possession, perform" and inserting "possession—

"(A) perform";

(2) in subparagraph (A), as so designated— (A) by striking ", including operating the business of the debtor"; and

(B) by adding "and" at the end; and

(3) by adding at the end the following:

"(B) be authorized to operate the business of the debtor";

(f) CONFIRMATION OF PLAN.—Section 1191(c) of title 11, United States Code, is amended by striking paragraph (3) and inserting the following:

"(3)(A) The debtor will be able to make all payments under the plan; or

"(B)(i) there is a reasonable likelihood that the debtor will be able to make all payments under the plan; and

"(ii) the plan provides appropriate remedies, which may include the liquidation of nonexempt assets, to protect the holders of claims or interests in the event that the payments are not made."

(g) TECHNICAL CORRECTIONS TO THE BANKRUPTCY ADMINISTRATION IMPROVEMENT ACT.—Section 589a of title 28, United States Code is amended—

(1) in subsection (c) by striking "subsection (a)" and inserting "subsections (a) and (f)"; and

(2) in subsection (f)(1)—

(A) in the matter preceding subparagraph (A), by striking "subsections (b) and (c)" and inserting "subsection (b)(5)"; and

(B) in subparagraph (A), by inserting "needed to offset the amount" after "amounts".

(h) EFFECTIVE DATE; APPLICABILITY.—

(1) IN GENERAL.—Subsections (b) and (c) and the amendments made by subsections (b) and (c) shall take effect on the date of enactment of this Act.

(2) RETROACTIVE APPLICATION OF CERTAIN AMENDMENTS.—The amendments made by subsections (a), (d), (e), and (f) shall apply with respect to any case that—

(A) is commenced under title 11, United States Code, on or after March 27, 2020; and

(B) with respect to a case that was commenced on or after March 27, 2020 and before the date of enactment of this Act, is pending on the date of enactment of this Act.

(3) EFFECTIVE DATE OF TECHNICAL CORRECTIONS TO BAIA.—The amendments made by subsection (g) shall take effect as if enacted on October 1, 2021.

(i) SUNSETS.—

(1) IN GENERAL.—Effective on the date that is 2 years after the date of enactment of this Act—

(A) subsection (e) of section 109 of title 11, United States Code is amended to read as such subsection read on the day before the date of enactment of this Act; and

(B) section 1182(1) of title 11, United States Code, is amended to read as follows: